IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

Con.Case(C).No. 903 of 2006(S)

AGAINST THE JUDGEMENT IN WPC.12707/2004 Dated 31/03/2006
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PETITIONERS/PETITIONERS:
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1. ACTION COMMITTEE FOR IMPROVEMENT
OF FACILITIES IN ERNAKULAM COURTS, ERNAKULAM
BAR ASSOCIATION, DISTRICT COURT COMPLEX,
ERNAKULAM, REPRESENTED BY ITS CONVENOR
ADV.C.P. UDAYABHANU.

2. C.P. UDAYABHANU, AGED 47 YEARS,
S/O. C.K. PADMANABHAN, ADVOCATE,
MEMBER, ERNAKULAM, DISTRICT COURT BAR ASSOCIATION.

BY ADV. SRI.P.SANJAY
SRI.A.PARVATHI MENON

RESPONDENT/RESPONDENTS 1 & 6:
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1. MR. MOHAMMED RIAZUDDIN,
(AGE AND FATHERS NAME NOT KNOWN TO PETITIONER)
CHIEF SECRETARY, GOVT.OF KERALA,
SECRETARIAT, TRIVANDRUM.

2. MOHAMMED HANISH, AGE AND FATHERS NAME
NOT KNOWN TO THE PETITIOERS, DISTRICT COLLECTOR,
ERNAKULAM.

BY ADVOCATE GENERAL MR.C.P.SUDHAKARA PRASAD

THIS CONTEMPT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 05/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.K. BALI, C.J. & S.SIRI JAGAN, J.

Cont.Case (C) No.903 of 2006

Dated, this the 5th day of December, 2006

JUDGMENT

V.K.Bali,C.J.(Oral)

This contempt petition arises in the wake of the order passed by this Court in W.P.(C) No.12707 of 2004 disposed of on 31st March, 2006. The direction given in the writ petition aforesaid pertains to construction of a Court Complex at Ernakulam. Pursuant to the notice issued in this contempt matter the learned Advocate General has himself appeared and placed on record an order dated 2.11.2006 passed by the Government of Kerala, Home Department, which reads as follows:

> "Govenment are pleased to accord Administrative Sanction for the construction of Judicial Complex at Ernakulam Phase-I at an estimated cost of Rs.16.20 Crores subject to the condition that the Chief Engineer, Public Works Department should find out 20% of the above estimate from the provision available during the current year under the Head of Account 4059-60-051-98-16-Major Works 50% CSS before tendering the work."

2. In so far as the condition that the Chief Engineer, Public

Works Department should find out 20% of the above estimate from the provision available during the current year under the Head of Account 4059-60-051-98-16-Major Works 50% CSS before tendering the work is concerned, learned Advocate General states that the said condition shall be waived and the construction work would start as early as possible. In view of the order placed on record referred to above and the submission made by the learned Advocate General, we close this contempt matter with liberty to the petitioner to make an application to revive it if there may be any laxity on the part of the respondents in the matter of construction of Court Complex at Ernakulam

V.K. BALI,
CHIEF JUSTICE.

S.SIRI JAGAN,
JUDGE.

vns